

Robert L. Shipley, CA State Bar No. 109420)

[rshipley@shipleylaw.com](mailto:rshipley@shipleylaw.com)

Brandon S. Gray, CA State Bar No. 279881

[bgray@shipleylaw.com](mailto:bgray@shipleylaw.com)

ROBERT L. SHIPLEY, APLC

2784 Gateway Road, Suite 104

Carlsbad, CA 92009

Telephone: +1 760 438 5199

Attorneys for Defendant

ABC PHONES OF NORTH CAROLINA, INC. ,

DOING BUSINESS AS VICTRA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

**ARIEL KLINK**, on behalf of herself and all  
others similarly situated;

Plaintiff,

v.

**ABC PHONES OF NORTH CAROLINA,  
INC., DOING BUSINESS AS VICTRA**, a

North Carolina Corporation; and

**DOES 1 through 50**, inclusive,

Defendants.

Case No.

**DECLARATION OF ADAM REED IN  
SUPPORT OF DEFENDANT ABC  
PHONES OF NORTH CAROLINA, INC.,  
DOING BUSINESS AS VICTRA'S  
NOTICE OF REMOVAL OF STATE  
COURT ACTION TO FEDERAL COURT**

*[Filed concurrently with Defendant's Civil  
Case Cover Sheet; Defendant's Notice of  
Removal; and Declaration of Robert L. Shipley  
in Support of Defendant's Notice of Removal]*

State Court Case No. RG20064133

State Action Filed: June 10, 2020

State Action Served: August 7, 2020

I, Adam Reed hereby declare as follows:

1. I am the Payroll Supervisor for ABC Phones of North Carolina, Inc. ("ABC Phones" or "the Company"). I have held this position since December 22, 2018. As part of my job duties, I have access to business records, data, and other information relating to ABC Phones' employees

1 and store locations. I regularly use and rely upon these business records in the course of performing  
2 my job duties. I have personal knowledge of the facts stated in this declaration based on my review  
3 of these business records, data, and other information provided to me, and if called upon to do so, I  
4 could and would competently testify to the matters stated herein.

5         2.       ABC Phones is a corporation organized under the laws of North Carolina with its  
6 principal place of business in North Carolina. The Company's principal place of business,  
7 headquarters, and center of direction, control, and coordination is also in North Carolina. Corporate  
8 decisions for the Company are made in North Carolina, including its operational, executive,  
9 administrative, and policymaking decisions.

10        3.       The majority of Defendant's executive officers conduct their business in North  
11 Carolina. The majority of administrative functions crucial to ABC Phones' day-to-day operations  
12 are conducted in North Carolina. The respective officers responsible for developing policies and  
13 protocols for Defendant's nationwide operations are in Raleigh, North Carolina.

14        4.       I have reviewed the contact information in ABC Phones' records for Plaintiff Ariel  
15 Klink and determined that according to those records she does not currently reside, or during the  
16 relevant time period of his Complaint did she reside, in North Carolina.

17        5.       From June 10, 2016 through the date of this declaration, ABC Phones has employed  
18 approximately 4000 non-exempt employees in California. I calculated this estimate by multiplying  
19 the number of non-exempt employees employed from January 1, 2019 through January 31, 2020,  
20 which was approximately 1000, and multiplying that figure by 4 years (which assumes a 100%  
21 turnover). I believe this calculation provides a reasonable estimate of the number of non-exempt  
22 employees employed by Defendant from June 10, 2016 to the present.

23  
24  
25  
26  
27  
28  
\\

1 I declare under penalty of perjury, under the laws of the United States of America and the State of  
2 California, that the foregoing is true and correct. Executed this 2 day of September 2020 at  
3 Raleigh, North Carolina.

4  
5   
6 Adam Reed